



03-02-01

GAU 3736

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 044000.0016)

In the Application of:
Braun et al.

Serial No.: 09/139,858

Filed: August 25, 1998

For: Multimedia Feature for
Diagnostic Instrumentation

Box Fee Amendment
Assistant Commissioner for Patents
Washington, D.C. 20231

§ Group Art Unit: 3736

§ Examiner: Wingood, P

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CERTIFICATE OF MAILING	
37 C.F.R. 1.10	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, mailing label number <u>EL523303710US</u> addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
<u>2/28/2001</u>	<u>Tern Muñoz</u>
Date	Tern Muñoz

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Dear Sir:

PETITION FOR THREE MONTH EXTENSION OF TIME

Applicants respectfully petition the Commissioner for a three (3) month extension of time under 37 C.F.R. § 1.136 within which to respond to the Office Action mailed August 28, 2000, such extension allowing the undersigned until February 28, 2001 to respond. A check is enclosed to cover this extension fee. However, if the check is missing or insufficient, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Akin, Gump, Strauss, Hauer & Feld, L.L.P. Deposit Account No. 01-0660.

AMENDMENTS

In the Claims:

Please cancel claims 14 and 15 without prejudice.

RESPONSE TO OFFICE ACTION

In the Office Action dated August 28, 2000, claims 1-4 and 14-21 were rejected under the judicially created doctrine of double patenting over claims 1-3, 4, 5, 15-21 and 22, respectively,

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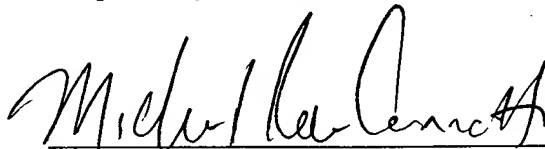
of U.S. Patent No. 5,811,681. In addition, claims 14-15 were rejected under 35 U.S.C. 102(b) as being anticipated by Moser et al. (U.S. Patent No. 5,264,396). Applicants note with appreciation that claims 11-13 are allowed.

While Applicants do not necessarily agree with the requirement imposed by the Examiner, Applicants respectfully submits, by separate letter of even date herewith, a terminal disclaimer in compliance with 37 CFR 1.321(c) to obviate any double patenting issue. Claims 14 and 15 are canceled without prejudice. Applicants respectfully submit that claims 1-4 and 16-21 are in condition for allowance.

CONCLUSION

This paper is submitted as a complete response to the Office Action mailed on August 28, 2000. Should the Examiner have any questions, comments or suggestions that would expedite the prosecution of the present case to allowance, Applicants undersigned representative earnestly requests a telephone conference, and can be reached directly at (512) 499-6280. In the event any additional fees during the pendency of this application (other than an issue fee) are required by the present amendment, please charge the required fee to the deposit account of Akin, Gump, Strauss, Hauer & Feld Deposit Account No. 01-0660.

Respectfully submitted,



Michael Rocco Cannatti
Registration No. 34,791

Date: February 28, 2001

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